

NOTICE AND AGENDA

SUNNYVALE CITY COUNCIL TUESDAY, FEBRUARY 9, 2010 COUNCIL CHAMBERS and WEST CONFERENCE ROOM CITY HALL - 456 W. OLIVE AVE. SUNNYVALE, CALIFORNIA

6 P.M. SPECIAL COUNCIL MEETING (Board and Commission Interviews)

City Council Study Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Study Session
 - a. Board and Commission applicant interviews
4. Public Comment
5. Adjourn Special Meeting

7 P.M. COUNCIL MEETING

Pursuant to Council Policy, City Council will not begin consideration of any agenda item after 11:30 p.m. without a vote. At approximately 9:30 p.m., Council will make an announcement indicating that items may not be heard after 11:30 p.m. Any item on the agenda which must be continued due to the late hour shall be continued to a date certain. Information provided herein is subject to change from date of printing of the agenda to the date of the meeting.

CALL TO ORDER - Call to order in the Council Chambers

SALUTE TO THE FLAG

ROLL CALL

SPECIAL ORDER OF THE DAY

PUBLIC ANNOUNCEMENTS

Each speaker is limited to three minutes for announcements of community events, programs, or recognition.

PRESENTATION – League of California Cities: Impacts of the State Budget

Any agenda related writings or documents distributed to members of the City of Sunnyvale City Council regarding any open session item on this agenda will be made available for public inspection in the Office of the City Clerk located at 603 All America Way, Sunnyvale, CA. during normal business hours and in the Council Chamber on the evening of the Council Meeting, pursuant to Government Code §54957.5.

CONSENT CALENDAR

- 1.A. MOTION Approval of Council Meeting Minutes of January 26, 2010
1.B. MOTION Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

- 1.C. MOTION List of Claims and Bills Approved for Payment by the City Manager – List
RTC 10-030 Nos. 488 and 489

Staff Recommendation: Review the attached lists of bills.

Staff Contact: Pete Gonda, (408) 730-7418

- 1.D. MOTION Proposal to Appropriate Health Trust Grant for the Sunnyvale Senior
RTC 10-033 Center and Approval of Budget Modification No. 20

Staff Recommendation: Approve Budget Modification No. 20 in the amount of \$24,805 and appropriates these funds to a new project to conduct the *Active Start* Program at the Sunnyvale Senior Center in partnership with San Jose State University Department of Kinesiology.

Staff Contact: Nancy Bolgard Steward, (408) 730-7342

- 1.E. MOTION City of Sunnyvale Investment Report – 4th Quarter 2009
RTC 10-031

Staff Recommendation: Receive and file the investment report.

Staff Contact: Therese Balbo, (408) 730-7604

Contracts

- 1.F. MOTION Authorization to Award Contract in the Amount of \$675,000 to Vietnam
RTC 10-022 Veterans of California for Veterans' Employment-Related Assistance
Program

Staff Recommendation: On behalf of the NOVA seven-city consortium, Council authorizes the award of a contract in the amount of \$675,000 to Vietnam Veterans of California to provide services for the Veterans Employment-Related Assistance Program.

Staff Contact: Kris Stadelman, (408) 730-7233

SunnyvaleWorks! Contracts

- 1.G. MOTION Increase Construction Contingency for Project 801101 and 827010,
RTC 10-036 Heating, Ventilation, and Conditioning (HVAC) and Roofing at the
Water Pollution Control Plant

Staff Recommendation: Increase the project contingency in the amount of \$36,000 to complete the project.

Staff Contact: Mark Rogge, (408) 730-7426

Other Items

- 1.H. MOTION Recommendation to Sunnyvale City Council to Approve Confirmation of
RTC 10-027 New Members to the NOVA Workforce Board

Staff Recommendation: Council confirms Mr. Nicholas de Lorenzo, Ms. Jacque Hansen, Ms. Donna Hezel and Mr. Neil Struthers for four-year terms on the NOVA Workforce Board.

Staff Contact: Kris Stadelman, (408) 730-7233

- 1.I. MOTION Adoption of Ordinance No. 2913-10 Amending Certain Sections of
ORDINANCE Chapter 9.41 (Massage Establishments and Massage Therapists) of Title
No. 2913-10 9 (Public Peace, Safety or Welfare) of the Sunnyvale Municipal Code
Relating to Massage Establishments and Massage Therapists

Staff Recommendation: Approve second reading of Ordinance No. 2913-10.

Staff Contact: David Kahn, City Attorney (408) 730-7464

- 1.J. MOTION Ratification of IGR Committee Appointment to the Santa Clara County
RTC 10-026 Recycling and Waste Reduction Commission

Staff Recommendation: Council ratifies the appointment of Councilmember Griffith to the Santa Clara County Recycling and Waste Reduction Commission.

Staff Contact: Yvette Blackford, (408) 730-7536

STAFF RESPONSES TO PRIOR PUBLIC COMMENTS

Staff may provide further information or clarification for the community's benefit in response to public comments made at previous Council meetings. Staff will not necessarily respond to all public comments.

PUBLIC COMMENTS

*This category is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the City Clerk. Individuals are limited to one appearance during this section.*

PUBLIC HEARINGS/GENERAL BUSINESS

*If you wish to speak to a public hearings/general business item, please fill out a speaker card and give it to the city clerk. You will be recognized at the time the item is being considered by Council. **Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 10 minutes for closing comments.***

2. ORDINANCE Bicycle and Pedestrian Advisory Commission (BPAC) Recommendation
RTC 10-025 on Ordinance for Suspension of Timed Parking Enforcement during
Special Events

Staff Recommendation: Adopt the proposed ordinance amending Chapter 10.16., clarifying the intent of temporary suspension of time duration parking restrictions for special events.

Staff Contact: Jack Witthaus (408) 730-7330

3. **RESOLUTION** Consideration of a Resolution Amending the Joint Powers Agreement for
 RTC 10-034 the Administration of the Santa Clara County Congestion Management
 Program

Staff Recommendation: Do not approve the resolution amending the Santa Clara County Congestion Management Program (CMP) Joint Powers Agreement (JPA) to create a new City grouping of Sunnyvale, Santa Clara and Milpitas.

Staff Contact: Jack Witthaus, (408) 730-7330

4. **COUNCIL** Consider Revisions to Council Policy 7.3.10 Regarding Selection of
 DISCUSSION Mayor and Vice Mayor

Recommendation: Consider revisions to Council Policy 7.3.10 regarding Selection of Mayor and Vice Mayor.

Contact: Vice Mayor Moylan / Mayor Hamilton, (408) 730-7473

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

- Council
- Staff

INFORMATION ONLY REPORTS/ITEMS

- Draft 2010 Tentative Council Meeting Agenda Calendar
- RTC 10-037 Boards and Commissions Attendance Report, January – December 2009 (Information Only)
- Notice of Cancellation of the Bicycle and Pedestrian Advisory Commission Meeting of December 17, 2010
- Draft Minutes of the Bicycle and Pedestrian Advisory Commission Meeting on January 21, 2010
- RTC 10-035 Opportunity for Council to appeal decisions of the Planning Commission of January 25, 2010 and the Administrative Hearing of January 27, 2010
- Approved Minutes of the Heritage Preservation Commission Meeting of January 13, 2010
- Draft Minutes of Housing and Human Services Commission Meeting of January 13, 2010
- RTC 10-028 Vacancy and Rent Survey (Information Only)

ADJOURNMENT

Notice to the Public:

The agenda reports to council (RTC's) may be viewed on the City's Web site at <http://sunnyvale.ca.gov> after 7 p.m. on Thursdays or at the Sunnyvale Public Library, 665 W. Olive Ave. as of Fridays prior to Tuesday City Council meetings. Please contact the Office of the City Clerk at (408) 730-7483 for specific questions regarding the agenda.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Office of the City Clerk at (408) 730-7483. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CFR 35.104 ADA Title II).

GUIDELINES FOR ADDRESSING THE CITY COUNCIL

Public Announcement – Beginning of Council Meeting

- Three minutes or less per speaker.
- Speakers are requested to give their name (address is optional).
- Recognition of a special achievement.
- Announcement of public event with definite time and date.
- Public events that are of community-wide interest that occur on an annual basis (only announce one time).

Public Hearing – Order of Hearing as Follows:

- Opening remarks by the applicant (if applicable) are limited to 10 minutes.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Anyone interested in addressing the Council (may only speak one time).
- Closing remarks by the applicant (if applicable) are limited to 10 minutes.
- Time limit of three minutes per person (may be extended at discretion of mayor). Please make comments brief and be prepared to provide new input.

Public Comments

- Any item relevant to the City of Sunnyvale.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Items not on the agenda.
- Items that do not fall within the scope of the public announcement section.
- This category is limited to 15 minutes (may be extended or continued after the public hearing/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this agenda, you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by the Council. Individuals are limited to one appearance during this section.

Planning a presentation for a City Council/Planning Commission meeting?

To assist you in utilizing the technology available in the Council Chamber, the publication "*How to Make Your Council Chamber Presentation More Effective*" may be helpful. Copies are available on the tables located at the back of the Council Chamber prior to scheduled City Council and Planning Commission meetings. You may also pick up a copy at the Office of the City Clerk or visit the City's Web site at <http://sunnyvale.ca.gov>.

Planning to present materials to Council?

If you wish to provide the City Council with copies of your presentation materials, **please provide 12 copies of the materials to the city clerk** (located to the left of the Council dais). The city clerk will distribute your items to the Council.

SCHEDULED COUNCIL MEETINGS

DATE	MEETING	TIME		PLACE
Feb. 9, 2010	Council Meeting	7	p.m.	Council Chambers
Feb. 23, 2010	Council Meeting	7	p.m.	Council Chambers
Mar. 9, 2010	Council Meeting	7	p.m.	Council Chambers
Mar. 23, 2010	Council Meeting	7	p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

Feb. 8, 2010	Personnel Board	5	p.m.	Council Chambers
Feb. 8, 2010	Planning Commission Study Session	7	p.m.	West Conference Rm
Feb. 8, 2010	Planning Commission Public Hearing	8	p.m.	Council Chamber
Feb. 10, 2010	Administrative Hearing	2	p.m.	West Conference Rm
Feb. 10, 2010	Parks and Recreation Commission-Cancelled	7	p.m.	Council Chambers
Feb. 17, 2010	Arts Commission	7	p.m.	Council Chambers
Feb. 18, 2010	Bicycle and Pedestrian Advisory Commission	6:30	p.m.	West Conference Rm
Feb. 22, 2010	Planning Commission Study Session	7	p.m.	West Conference Rm
Feb. 22, 2010	Planning Commission Public Hearing	8	p.m.	Council Chamber
Feb. 24, 2010	Administrative Hearing	2	p.m.	West Conference Rm
Feb. 24, 2010	Housing & Human Services Commission	7	p.m.	West Conference Rm
March 1, 2010	Board of Library Trustees Meeting	7	p.m.	Library Program Rm A
March 3, 2010	Heritage Preservation Commission (Special Meeting)	7	p.m.	West Conference Rm
March 8, 2010	Planning Commission Study Session	7	p.m.	West Conference Rm
March 8, 2010	Planning Commission Public Hearing	8	p.m.	Council Chambers
March 10, 2010	Administrative Hearing	2	p.m.	West Conference Rm
Mar. 10, 2010	Parks and Recreation Commission	7	p.m.	Council Chambers
Mar. 17, 2010	Arts Commission	7	p.m.	Council Chambers
Mar. 22, 2010	Planning Commission Study Session	7	p.m.	West Conference Rm
Mar. 22, 2010	Planning Commission Public Hearing	8	p.m.	Council Chambers
Mar. 24, 2010	Administrative Hearing	2	p.m.	West Conference Rm
Mar. 24, 2010	Housing & Human Services Commission	7	p.m.	West Conference Rm

CHANNEL 15 – KSUN

For a complete schedule of KSUN-15 broadcasts, visit KSUN.inSunnyvale.com

Feb. 9, 2010	City Council Meeting – Live	7	p.m.
Feb. 10, 2010	City Council Meeting – Replay of Feb. 9, 2010	7	p.m.
Feb. 14, 2010	City Council Meeting – Replay of Feb. 9, 2010	4	p.m.
Feb. 23, 2010	City Council Meeting – Live	7	p.m.
Feb. 24, 2010	City Council Meeting – Replay of Feb. 23, 2010	7	p.m.
Feb. 28, 2010	City Council Meeting – Replay of Feb. 23, 2010	4	p.m.